

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

No. 7:04-CR-85-1F

UNITED STATES OF AMERICA

v.

GARY EDWARD NIXON,  
Defendant.


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ORDER

This matter is before the court on the Defendant's Sealed Motion and Memorandum in Support of Sentence Reduction [DE-276] and the Defendant's objection to the United States Probation Office's Proposed Order regarding Motion For Sentence Reduction. In his memorandum [DE-276], the Defendant raises a number of complex legal arguments regarding the crack cocaine amendments to the sentencing guidelines. The court is interested in the Government's position regarding the issues raised in the Defendant's memorandum. Therefore, the court DIRECTS the Government to file a response to the Defendant's Sealed Motion and Memorandum in Support of Sentence Reduction [DE-57] by **May 14, 2013**. After the court has time to consider the Government's response, the court will consider Defendant's request for a hearing.

SO ORDERED.

This the 15<sup>th</sup> day of March, 2013.

  
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JAMES C. FOX  
Senior United States District Judge